

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

HEATHER SMITH,  
AS COURT APPOINTED GUARDIAN,  
ON BEHALF OF S.S, A MINOR

PLAINTIFF

v.

CIVIL ACTION NO. 3:23-CV-588-HTW-ASH

MARCHENNE HATCHETT

DEFENDANT

ORDER

This matter is before the Court on Plaintiff Heather Smith's Motion for Extension of Time to Designate an Expert Witness [55] (docketed as a motion for an extension of time to complete discovery). The Court requires Smith to provide clarification.

On May 15, 2025, Smith filed her motion, but did not state whether pro se Defendant Marchenelle Hatchett opposes the motion as required by the Local Rules. L.U. Civ. R. 7(b)(10) ("All non-dispositive motions must advise the court whether there is opposition to the motion."). A day later, Smith's counsel filed a certificate of service<sup>1</sup> and attached a letter he had sent to Hatchett, stating that the motion and accompanying memorandum "have been reviewed and prepared for [his] records and do not require any further action." Letter, [57-1]. But if Hatchett opposes the motion, he is entitled (but not required) to file a response. L.U. Civ. R. 7(b)(4).

Because the Court cannot determine Hatchett's position on Smith's motion based on the recent filings, the Court orders Smith to file a notice clarifying whether Hatchett opposes the motion, as required by Local Rule 7(b)(10), or what attempt has been made to ascertain

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<sup>1</sup> The certificate of service indicates Smith's counsel mailed the motion to Hatchett, who is currently incarcerated. Notice [57].

Hatchett's position. To the extent the motion is opposed, Hatchett's response is due by May 29, 2025.

**SO ORDERED AND ADJUDGED** this the 19th day of May, 2025.

*s/ Andrew S. Harris*  
UNITED STATES MAGISTRATE JUDGE